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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,644	12/09/2003	John R. Troxell	DP-307431 CIP	4989

7590 07/31/2006
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EXAMINER

PATEL, NITIN

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/731,644	TROXELL ET AL.	
	Examiner	Art Unit	
	Nitin Patel	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/9/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Double Patenting

1. Claims 1-20 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1,10,19 of copending Application No. 10/281863 in view of Caldwell (US 20040238726).

This is a provisional obviousness-type double patenting rejection.

As per claims 1,9,16 Troxell shows an integrated switch-indicator unit, comprising: the overlay input device comprising: a non-conductive substrate; and a plurality of conductive electrode pairs formed on the substrate, wherein each of the electrode pairs forms a proximity sensitive region and includes a first electrode that receives an input signal and a second electrode that provides an output signal, and wherein the first and second electrodes of each of the electrode pairs are capacitively coupled and the capacitance of each of the electrode pairs changes when a conductive member is located near a given one of the electrode pairs(in claim 110 and 190.

Troxell does not specifically teach a light emitting diode structure for providing a plurality of indicators; and an overlay input device integrated with the light emitting diode structure.

Caldwell shows a light emitting diode structure for providing a plurality of indicators; and an overlay input device integrated with the light emitting diode structure (In section 0058). It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to have incorporated the teaching of Caldwell into

display system of Troxell's because it would have reduced extra material and manufacturing cost associated with the separate touch sensor and lighting assemblies.

As per claim 2-8,10-15,17-20 troxell does not teach the substrate is flexible wherein the substrate is one of a glass substrate and a plastic substrate and the non-conductive substrate is transparent and the plurality of conductive electrode pairs are transparent and wherein the light emitting diode structure and the overlay input device share a common electrode structure and wherein the light emitting diode structure is one of an organic light emitting diode (OLED) structure and a polymer light emitting diode (PLED) structure and further including: an integrated controller/bus access integrated circuit (IC) coupling the light emitting diode structure and the overlay input device to an automotive bus the IC controlling the illumination of the light emitting diode structure to identify a location and function of a switch and sensing when the capacitance of one of the electrode pairs changes to indicate a switch input.

As per claims 2-7,8,10-15,17-20 Caldwell shows the substrate is flexible wherein the substrate is one of a glass substrate and a plastic substrate and the non-conductive substrate is transparent and the plurality of conductive electrode pairs are transparent and wherein the light emitting diode structure and the overlay input device share a common electrode structure (in section 0047,0048,0051,0054,0056,0059 and 0060) and wherein the light emitting diode structure is one of an organic light emitting diode (OLED) structure and a polymer light emitting diode (PLED) structure and further including(in section 0047): an integrated controller/bus access integrated circuit (IC) coupling the light emitting diode structure and the overlay input device to an automotive

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bus(in section 0002), the IC controlling the illumination of the light emitting diode structure to identify a location and function of a switch and sensing when the capacitance of one of the electrode pairs changes to indicate a switch input(in section 0051). It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to have allowed the teaching of Caldwell's into display system of Troxell's because it would have control the touch switch with integrated control circuit in close proximity to the touch sensor.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 571-272-7677.

The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nitin Patel
Examiner
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A handwritten signature in black ink that reads "Nitin Patel". The signature is written in a cursive style and is positioned above a horizontal line.